

DETAILED ACTION

Claims 1, 3, 4 and 7-19 are pending.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “first side and second side” (claim 7, no reference numeral indicator) and the hydraulic clips (claim 19, no reference numeral indicator) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1,3,4 and 7-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitation in claim 1, lines 8 and 9, and claim 14, lines 7 and 8, "a cable which during product loading and unloading operations is secured/stretched" is unclear, as it would appear at least in Figure 3 that the cable is secured prior to loading and unloading. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 7-10, 12 -19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Le Devehat (WO 02/22491, using U.S. Patent 7,147,022 as a translation) in view of LeDevehat (WO 01/040041, using U.S. Patent 6,719,008 as a translation for PCT Publication WO 01/04041).

Regarding claims 1 and 14,15,16, Le Devehat '491 discloses (using U.S. Patent 7,147,022 as a translation for PCT Publication WO 02/22491), an assembly, as shown in Figure 1, for loading and unloading products which comprises, a balanced loading

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and unloading arm (14) which is installed at a first location (12) and which includes a compass-style duct system (Col. 2, Lns. 19-23) having a first end mounted on a base (18) and a second end provided with a connection system (28,30,33,44) suitable for connecting the compass-style duct system to a coupling means (29,43,45) installed at a second location (10), a cable (32) which is extendable between the first and second locations, a means (34, Col. 2, Lns. 60-61) at the first location for subjecting the cable to a constant tension, and means (33,44,46) co-operating with the cable for guiding the connection system along the cable until the connection system is brought into a position adjacent the coupling means, wherein the guiding means comprises a drive winch (42) which is connected to the connection system and which operates to drive the connection system along the cable when the cable is stretched between the first location and the second location.

LeDevehat '491 teaches all of the features of the claimed invention, including a connection system which uses a winch, however this winch utilizes two cables between the first and second locations, and therefore is silent to having "a cable" which "prior" to product loading and unloading is secured between the first and second locations where a drive winch in operation frictionally engages the cable.

LeDevehat '041 discloses an offshore loading system which teaches the use of a cable (17) secured between first and second locations as shown in Figure 2, driven by a winch (40) which frictionally engages the cable.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute a cable and winch system as taught by LeDevehat

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'041 for the cable and winch system of LeDevehat '491 as one would have expected the system to perform as equally as well.

Regarding claim 3, Le Devehat discloses that the cable comprises means (43) for co-operating with a locking system (29) at the second location to thereby keep the cable attached to the second location.

Regarding claim 7, Le Devehat discloses that the cable crosses from a first side of the connection system closest to the first location to a second side of the connection system closest to the second location, as shown in Figure 1.

Regarding claim 8, Le Devehat discloses that the constant tension means comprises an emergency disconnection system (31) for the cable.

Regarding claim 9, Le Devehat discloses that the constant tension means comprises a winder (35,38) and the emergency disconnection system functions to release the cable from the winder (Col.3, Lns.62-65) when the cable is unwound beyond a predetermined maximum number of turns.

Regarding claim 10, Le Devehat discloses an alignment guide (40, see Figure 3) which is connected to the connection system and which comprises a portion (the projecting part at the distal end of 40 connected with the cable, between numerals 40 and 32, this is considered as being a portion) through which the cable passes which is spaced apart from the connection system.

Regarding claim 12, Le Devehat discloses the means (43-46) for coupling the connection system to the second location.

Regarding claim 13, Le Devehat discloses that the connection system comprises a female truncated conical element (46) and in that the coupling means comprises a male truncated conical element (45) which is adapted to fittingly engage the female truncated conical element.

Regarding claim 15, the combined device of LeDevehat '941 and LeDevehat '041 are silent to having a pulley which is positioned at a second location. Official Notice is hereby taken that it is widely known and notoriously old in the material handling art to use pulleys situated at locations which otherwise require a higher force for movement of a device through the use of a cable or rope, whereby the use of the pulley reduces the force to move the device. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a pulley into the combined system of LeDevehat '491 and LeDevehat '041 in order to minimize the pulling forces between the tow devices being moved.

Regarding claim 16, the combined device of LeDevehat '941 and LeDevehat '041 are silent to having the winch being positioned at the first location.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the winch positioned at the first location, since it has been held that rearranging of parts of an invention only requires routine skill in the art. (in re Jaspiske, 86 USPQ 70.

Regarding claim 17, Le Devehat discloses that the first end of the cable is connected to a means (34) positioned at the first location for subjecting the cable to a constant tension.

Regarding claim 18, Le Devehat discloses a means (43) for attaching the connection system to the cable.

Regarding claim 19, Le Devehat is silent to having the attaching means comprising a number of hydraulic clips.

LeDevehat '041 discloses hydraulic clips (22) which attach a connection system to the cable, as shown in Figure 2.

It would have been obvious to one of ordinary skill in the art to employ clips as taught by Ledevehat'041 into the system of Le Devehat'491 in order to keep the system in close proximity to the cabling system, for connection alignment purposes.

Claims 3 and 4 are rejected, in an alternative reading of the claim, under 35 U.S.C. 103(a) as being unpatentable over Le Devehat (WO 02/22491) in view of Le Devehat (WO 01/04041).

Le Devehat '491 is silent to having the cable comprises means for co-operating with a locking system at the second location to thereby keep the cable attached to the second location and the means for co-operating with the locking system comprises a sleeve which is crimped onto the cable.

Le Devehat '041 discloses (using U.S. Patent 6,719,008 as a translation for PCT Publication WO 01/04041) an offshore loading system which teaches the use of a locking system (54) at a second location to keep the cable attached to a second location the means for co-operating with the locking system comprises a sleeve (53) which is crimped onto a cable.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a locking system and sleeve as taught by Le Devhat'041 onto the system of Le Devehat '491 in order to fix the suspension cable with the connecting cable (Col. 7, Lns. 20-24).

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Le Devehat (WO 02/22491) and LeDevehat '041, as applied to claim 1 above, and further in view of Dumas (3,964,512).

Le Devehat '491 and '041 are silent to a rotation device capable of ordering an angular movement of the connection system relative to the compass-style duct system.

Dumas discloses a pipe boom which teaches the use of a rotation device as shown in Figure 2 (14,16-19, Col. 2, Lns. 47 -57), capable of ordering an angular movement of the connection system relative to the compass-style duct system.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a rotation device as taught by Dumas into the combined system of Le Devehat '491 and '041 in order to control angular positions of the pipe sections (Col. 1, Lns. 62- Col. 2, Lns. 2).

Response to Arguments

Applicant's arguments with respect to claims 1, 3, 4, 7-19 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments with respect to the drawings are not persuasive, as although Figure 3 of Applicant's drawings may "show" these attributes, it is not clear to the examiner where this structure is unless a reference indicator numeral points out the

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exact feature being claimed. Furthermore, the specification will need support of the reference numeral indicator.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Craig Price whose telephone number is (571)272-2712. The examiner can normally be reached on 8AM - 4:30PM Mon-Fri, Increased flex time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on (571) 272-4777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CP 27 March 2010
/C. P./ Examiner, Art Unit 3753

/Robin O. Evans/
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